

# PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000**

or **Fax**

(703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

30031 7590 08/27/2004

**MICHAEL W. HAAS, INTELLECTUAL PROPERTY  
COUNSEL  
RESPIRONICS, INC.  
1010 MURRY RIDGE LANE  
MURRYSVILLE, PA 15668**

Express Mail Label No. EL997387050 US

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Michael W. Haas (Depositor's name)  
Michael W. Haas (Signature)  
11/24/04 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/432,192

11/02/1999

DANIEL KUEHN

99-13

9730

TITLE OF INVENTION: PRESSURE SUPPORT SYSTEM HAVING A TWO-PIECE ASSEMBLY

11/29/2004 MBIZUNE2 00000101 09432192

01 FC:1501

1370.00 0P

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	11/29/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
WALTON, GEORGE L	3753	137-31.5010

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Michael W. Haas  
2  
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Respironics, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Murrysville, Pennsylvania

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0558 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Michael W. Haas

Date 11/24/04

Typed or printed name Michael W. Haas

Registration No. 35,174

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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NOV 24 2004

Mail Stop Issue Fee

# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)		Application Number	09/432,192
		Filing Date	November 2, 1999
		Confirmation Number	9730
		Inventor(s)	KUEHN
		Group Art Unit	3753
Express Mail Label No.: EL 997387050 US		Examiner	Walton, G.
Total Number of Pages in This Submission: 7		Attorney Docket No.	99-13

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <small>(submit in duplicate)</small> <input checked="" type="checkbox"/> Fee Attached <b>\$ 1,370.00</b> Check No.: <b>327274</b>	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) <input type="checkbox"/> Request for Return of PTO-1449 Forms <input type="checkbox"/> Petition to the Commissioner <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Address <input type="checkbox"/> Terminal Disclaimer(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	<input checked="" type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <small>(Appeal Notice, Brief, Reply Brief)</small> <input type="checkbox"/> Request for Continued Examination (RCE) <input type="checkbox"/> Status Request Letter <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Search report <input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Other Enclosure(s): _____	

**Current Due Date:** November 29, 2004

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668		
Signature	<i>Michael W. Haas</i>		
Date	November 24, 2004		

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>November 24, 2004</u> , Express Mail Label No. <u>EL 997387050 US</u> .			
Typed Name	Michael W. Haas, Reg. No. 35,174		
Signature	<i>Michael W. Haas</i>	Date	November 24, 2004

NOV 24 2004  
PATENT MARK OFFICE

# **FEE TRANSMITTAL** (Effective 10/01/2003)

		Application Number	09/432,192
		Filing Date	November 2, 1999
		First Named Inventor	KUEHN
		Confirmation Number	9730
		Group Art Unit	3753
"Express Mail" Label No. EL 997387050 US		Examiner's Name	Walton, G.
<b>TOTAL AMOUNT OF PAYMENT</b>		\$ 1,370.00	Attorney Docket No. 99-13

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																																			
<b>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</b> Deposit Account Number: <u>50-0558</u> Deposit Account Name: <u>Respironics, Inc.</u> <input type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17, 1.19 and 1.20 <input checked="" type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18		<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																																																			
<b>2. <input checked="" type="checkbox"/> Payment Enclosed:</b> Check (Check No. <u>327274</u> )		<table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or declaration</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1811</td><td>100</td><td>1811</td><td>100</td><td>Certificate of Correction</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>576</td><td>25</td><td>576</td><td>25</td><td>Additional filing receipt, duplicate or corrected due to applicant error</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for response within first month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for response within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for response within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for response within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td>1,370.00</td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Statutory Disclaimer</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Director</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of property)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 C.F.R. § 1.129(a))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination</td><td></td></tr> <tr><td colspan="6">Other Fee (specify) _____</td></tr> <tr> <td colspan="2"><b>SUBTOTAL (1)</b></td> <td colspan="4"><b>\$ 0.00</b></td> </tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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<b>2. CLAIMS</b> Total Claims _____ - ____* x 18 = _____ Ind. Claims _____ - ____* x 88 = _____ Multiple Dependent Claims add 300 = _____ * Enter Highest Number Previous Paid For _____ <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202 9 Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>88</td><td>2201 44 Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>300</td><td>2203 150 Multiple dependent claim</td><td></td></tr> <tr><td>1204</td><td>86</td><td>2204 43 Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205 9 Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="4"><b>SUBTOTAL (2)</b></td></tr> <tr><td colspan="4"><b>\$ 0.00</b></td></tr> </tbody> </table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202 9 Claims in excess of 20		1201	88	2201 44 Independent claims in excess of 3		1203	300	2203 150 Multiple dependent claim		1204	86	2204 43 Reissue independent claims over original patent		1205	18	2205 9 Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>				<b>\$ 0.00</b>				<table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202 9 Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>88</td><td>2201 44 Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>300</td><td>2203 150 Multiple dependent claim</td><td></td></tr> <tr><td>1204</td><td>86</td><td>2204 43 Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205 9 Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="4"><b>SUBTOTAL (3)</b></td></tr> <tr><td colspan="4"><b>\$ 1,370.00</b></td></tr> </tbody> </table>					Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202 9 Claims in excess of 20		1201	88	2201 44 Independent claims in excess of 3		1203	300	2203 150 Multiple dependent claim		1204	86	2204 43 Reissue independent claims over original patent		1205	18	2205 9 Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (3)</b>				<b>\$ 1,370.00</b>																																																																																																																																																		
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<b>SUBMITTED BY</b>			
Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	November 24, 2004
		Deposit Account Number	50-0558



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : KUEHN  
Appln. No. : 09/432,192  
Conf. No.: : 9730  
Filed: : November 2, 1999  
Title: : PRESSURE SUPPORT SYSTEM HAVING A TWO-PIECE  
ASSEMBLY  
Group Art Unit : 3753  
Examiner : Walton, G.  
Docket No. : 99-13

\* \* \* \* \*

November 24, 2004

**PAYMENT OF ISSUE FEE**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Enclosed herewith are the following for filing in connection with the above-identified U.S. patent application:

- 1) A completed Issue Fee Transmittal Form - PTOL 85(b)(1 page);
- 2) Check No. 327274 in the amount of \$1,370.00;
- 3) Fee Transmittal Form (1 page, 2 copies);

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on November 24, 2004 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.  
Express Mail Label No. EL 997387050 US.

*Michael W. Haas*

Michael W. Haas, Reg. No. 35,174

KUEHN -- Appln. No.: 09/432,192

- 4) Transmittal Form (1 page); and
- 5) Certificate of Mailing by Express Mail (1 page, Express Mail Label No. EL 997387050).

As noted in the Fee Transmittal Form submitted herewith, the Commissioner is hereby authorized to charge any additional fees due, or credit any overpayment to Deposit Account No. 50-0558.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

Reg. No.: 35,174

Tel. No.: (724) 387-5026

Fax No.: (724) 387-5021

RESPIRONICS, INC.  
1010 Murry Ridge Lane  
Murrysville PA, 15668